

Western Australia

Exotic Diseases (General) Regulations 1970

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Exotic Diseases (General) Regulations 1970

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Exotic Diseases (General) Regulations 1970

1. Citation

These regulations may be cited as the *Exotic Diseases (General) Regulations 1970* ¹.

[Regulation 1 amended in Gazette 20 Jun 2000 p. 3004.]

2. Interpretation

In these regulations unless the contrary intention appears —

“Officer in Charge” means a person appointed by the Chief Inspector of Stock to be in charge of an Infected Place;

“Premises” means any farming or grazing property, stock yards, abattoirs, railway yards or other place where an animal is situated at the time that it is first suspected to be suffering from an exotic disease, or where the animal is in transit at the time that it is first suspected to be so suffering, the place to which it is removed.

3. Person to report suspicion of exotic disease

- (1) Where a person suspects that an animal is suffering from an exotic disease, he shall, by the quickest practicable means, report his suspicion of the existence of the disease to the nearest Government Veterinary Officer or Stock Inspector or to the Chief Inspector of Stock.
- (2) Where it is necessary for a person to leave the premises where an animal is suspected to be suffering from an exotic disease in

order to make a report in accordance with subregulation (1), he shall first disinfect himself by the best available means and after duly reporting the matter, return to those premises by the most direct route.

4. Report to be investigated

- (1) Where a Government Veterinary Officer or Stock Inspector receives a report of a suspicion of the existence of an exotic disease he shall proceed to the premises where the suspect animal or animals is or are held, taking with him protective clothing and disinfectant and carry out an examination of the suspect animal or animals.
- (2) Where a Government Veterinary Officer or Stock Inspector receives a report of the suspicion of the existence of an exotic disease in an animal wandering at large he may seize the suspect animal and hold it for observation and diagnostic tests at a place designated by the Chief Inspector of Stock.
- (3) Where an animal which may be seized in accordance with subregulation (2) cannot after reasonable attempts by a Government Veterinary Officer or Stock Inspector be so seized, the animal may be destroyed.

[Regulation 4 inserted in Gazette 20 Feb 1976 p. 5212.]

5. Chief Inspector of Stock to be told of result of investigation

- (1) Where a Government Veterinary Officer or Stock Inspector examines an animal or the carcase of an animal and is of the opinion that it is affected with an exotic disease, he shall immediately report his suspicion of the existence of the disease to the Chief Inspector of Stock and shall, subject to subregulation (2), take all necessary steps to isolate and securely confine the animal in a suitable enclosure on the premises.
- (2) Where —
 - (a) an exotic disease with which an animal is suspected to be infected is specified in Schedule C, the animal shall,

where possible, be placed in a darkened building which shall thereupon be sprayed with an insecticide; or

- (b) an animal is suspected to be affected with rabies, it shall be locked securely in a room or shed.

6. Quarantine, etc., when exotic disease thought to exist

Where the Chief Inspector of Stock is satisfied that there are grounds for suspecting that an exotic disease exists on any premises, he shall —

- (a) direct an inspector or district veterinary officer to —
 - (i) serve a quarantine order on the occupier of the premises; and
 - (ii) remain on the premises as Officer in Charge;
- (b) arrange for the immediate departure of a diagnostic team to proceed to the premises and, if necessary, for caravan accommodation to be provided for the diagnostic team and for other persons confined to the premises by the quarantine order; and
- (c) instruct a senior veterinary officer to procure and transport to the premises such cattle, horses, sheep, pigs and poultry as are necessary for transmission studies.

7. Powers of diagnostic team

- (1) Any person who is a member of a diagnostic team which proceeds to premises in accordance with regulation 6 has authority to enter those premises and conduct transmission tests and remove therefrom specimens suspicious of an exotic disease.
- (2) Where an animal is suspected to be infected with rabies, any person who is a member of a diagnostic team which proceeds to premises in accordance with regulation 6 has authority to remove or cause to be removed from the premises any animal affected with, or suspected of being affected with rabies, or any animal which has been in contact with an animal so affected or

suspected or the carcase of any such animal to a place where it can conveniently be kept under veterinary observation by or on behalf of the Chief Inspector of Stock or to a place where the animal or carcase can be subject to diagnostic tests.

[Regulation 7 inserted in Gazette 20 Feb 1976 p. 522.]

8. When quarantined premises become an Infected Place

- (1) Upon service of the quarantine order referred to in regulation 6(a), the premises described in the quarantine order —
 - (a) become an “Infected Place”; and
 - (b) become subject to the provisions of regulation 12.
- (2) The limits of an Infected Place may at any time be altered by the Chief Inspector of Stock by notice in writing served on the occupier of the Infected Place.
- (3) Where the Chief Inspector of Stock is satisfied that there are no longer grounds for suspecting that an exotic disease exists on premises which, for the time being, are an Infected Place, he shall, by notice in writing served on the occupier of the premises, revoke the quarantine order previously served under regulation 6 with respect to those premises and thereupon those premises shall cease to be an Infected Place.

9. Nothing to leave suspected premises

- (1) Subject to regulation 3(2), all persons, livestock and farm produce present on premises where an exotic disease is suspected to exist shall, whether or not a quarantine order has been served on the occupier of those premises, remain or be retained on those premises until —
 - (a) in the case of a person, a written permit to leave the premises is granted by the Chief Inspector of Stock or the Officer in Charge of the Infected Place; or
 - (b) in the case of livestock or farm produce, a written release authorising the removal of the livestock or farm

produce from the premises has been granted by the Chief Inspector of Stock or Officer in Charge of the Infected Place.

- (2) Where a person is granted a permit to leave premises in accordance with subregulation (1) —
- (a) he shall thoroughly disinfect himself before leaving the premises; and
 - (b) where the suspected disease is a disease specified in Schedule A or Schedule B, he shall not visit any other place where animals are located unless he has obtained the written permission of the Chief Inspector of Stock or Officer in Charge of the Infected Place.

10. Officer in Charge of an Infected Place

The Officer in Charge of an Infected Place shall —

- (a) instruct everyone on the Infected Place in the proper techniques of disinfection;
- (b) where applicable, direct that all livestock be removed from external boundaries of the Infected Place into secure internal paddocks and that all gates on the property be secured;
- (c) station an inspector or police officer at one gate which shall be the only entry to and exit from the Infected Place;
- (d) initiate enquiries into the movement of livestock, farm produce, vehicles and persons to and from the Infected Place during the 21 days prior to the detection of the suspicion of an exotic disease,

and any person so instructed, directed or questioned, shall carry out all the instructions and directions and to the best of his ability supply such information as is required by the Officer in Charge.

11. Dangerous Contact Premises

Where there has been contact between an Infected Place and any other place of such nature that, in the opinion of the Chief Inspector of Stock infection may have spread to that other place, the Chief Inspector of Stock shall declare that other place to be “Dangerous Contact Premises” and the provisions of these regulations apply to and in relation to any place declared to be Dangerous Contact Premises as if it were an Infected Place.

12. Rules relating to an Infected Place

(1) Any premises which become an Infected Place pursuant to regulation 8 shall be subject to the following rules:

Rule 1. No animal, poultry or carcase shall be moved into or out of the Infected Place except pursuant to a permit granted by the Officer in Charge of the Infected Place and in accordance with the conditions specified therein.

Rule 2. Where the suspected disease is specified in Schedule A or Schedule B, no fodder, litter, dung, utensil, pen, hurdle, vehicle or other thing shall be removed out of the Infected Place except pursuant to a permit granted by the Officer in Charge of the Infected Place and in accordance with the conditions specified therein.

- Rule 3. Where the suspected disease is a disease specified in Schedule A or Schedule B (other than rabies) all liquid manure, urine, shed washings or milk shall be thoroughly disinfected to the satisfaction of the Officer in Charge before being permitted to drain or escape from any shed, yard or other like place in which a diseased or suspected animal is or has recently been kept.
- Rule 4. No person other than the Officer in Charge shall enter or leave an Infected Place unless authorised by and in accordance with a written permit from the Officer in Charge.
- Rule 5. Any person entering a shed, field or other place in which a diseased or suspected animal is or has recently been kept, shall wear suitable protective clothing and boots which are capable of being disinfected and shall, before leaving that place, thoroughly cleanse and disinfect himself and his clothing and boots to the satisfaction of the Officer in Charge and, if so directed by the Officer in Charge, shall leave his protective or outer clothing in that shed, field or place.
- Rule 6. Any inspector, veterinary officer, valuer or other person treating the animals on any part of an Infected Place, shall before entering the Infected Place, put on suitable protective clothing and boots, and shall before leaving the Infected Place, thoroughly cleanse and disinfect himself and his protective clothing and boots to the satisfaction of the Officer in Charge.
- Rule 7. Any person tending a diseased or suspected animal shall not tend an animal which is not so

diseased or suspected except with the written permission of the Officer in Charge.

Rule 8. A receptacle containing disinfectant of a type approved by the Officer in Charge shall be kept at the exit from an Infected Place and fresh disinfectant shall be placed in it as often as may be directed by the Officer in Charge.

Rule 9. (1) No person shall cause or permit milk to be removed from the Infected Place and all milk on the Infected Place shall be destroyed in the manner directed by the Officer in Charge.

(2) Any utensils in which milk is placed shall be thoroughly sterilised with boiling water after use.

(3) For the purpose of this rule “milk” includes whey, buttermilk and separated milk.

(4) Nothing in this rule shall be construed as requiring or permitting a person to prevent an animal from suckling its young.

- (2) The Chief Inspector of Stock may, by notice in writing to the occupier of an Infected Place, direct that —
- (a) any additional rules specified in the notice shall apply to the Infected Place; or
 - (b) any of the rules prescribed by this regulation shall cease to apply to the Infected Place or shall be modified to the extent or in the manner specified in the notice.

13. Definitions

For the purposes of regulations 13A to 13G (both inclusive) —
“swill” means meat, meat scraps, meat trimmings, animal offal, blood, bones or any material which contains meat or any

other waste or refuse not known to be free of meat or from contact with meat;

“treatment licence” means a licence issued pursuant to regulation 13F;

“treatment premises” means premises that are or are to be used for the treatment of swill pursuant to a treatment licence.

[Regulation 13 inserted in Gazette 1 Oct 1976 p. 3612-13.]

13A. Disposal of swill

Notwithstanding anything in these regulations, a person shall not dispose of any swill from a vehicle that is in the course of or has recently completed a journey from another State or Territory of the Commonwealth except for the purposes of disposal by incineration.

[Regulation 13A inserted in Gazette 1 Oct 1976 p. 3613.]

13B. Sterilization of swill

- (1) A person shall not —
 - (a) collect swill except for the purposes of —
 - (i) sterilization by an approved dry rendering or autoclave process at approved premises; or
 - (ii) incineration;or
 - (b) dispose of swill except —
 - (i) for the purpose of sterilization by an approved dry rendering or autoclave process at approved premises; or
 - (ii) by incineration.
- (2) A person shall not feed swill to pigs unless the swill has been sterilized by an approved dry rendering or autoclave process at approved premises.

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- (3) Subregulations (1) and (2) do not apply to the collection or disposal of animal offal, meat or meat trimmings by a person who is the holder of a treatment licence.
- (4) Nothing in this regulation prevents a person from collecting or disposing of swill in accordance with the provisions of the *Local Government Act 1960*².

[Regulation 13B inserted in Gazette 1 Oct 1976 p. 3613.]

13C. Declaration of carcase as pig feed

- (1) The provisions of regulation 13B do not apply to the feeding of a carcase of an animal or part of a carcase of an animal, declared by the Minister pursuant to subregulation (2) of this regulation to be suitable for feeding to pigs.
- (2) The Minister may by notice declare that the carcase of an animal of the kind or species or class specified in the notice is suitable for feeding to pigs.
- (3) A declaration made under subregulation (2) may be made in relation to the whole of the State or any part of the State specified in the notice.
- (4) A declaration made under subregulation (2) may be varied or cancelled by the Minister by a subsequent notice.

[Regulation 13C inserted in Gazette 1 Oct 1976 p. 3613.]

13D. Application for treatment licence

A person who desires to obtain a treatment licence shall apply to the Chief Inspector by application in the form of Form 1 in Schedule D.

[Regulation 13D inserted in Gazette 1 Oct 1976 p. 3613.]

13E. Treatment licence

- (1) Subject to subregulation (2), where the Chief Inspector is satisfied that —

- (a) the applicant for a treatment licence is the owner —
 - (i) of an abattoir or a slaughter house registered under the provisions of the *Health Act 1911*, from which animal offal, meat and meat trimmings are to be collected for treatment;
 - (ii) of the treatment premises; and
 - (iii) of the pigs to which the animal offal, meat and meat trimmings treated under the licence are to be fed;

and

- (b) the treatment premises in respect of which the application is made —
 - (i) has plant of a sufficient capacity and is of a type that is capable of treating animal offal, meat and meat trimmings in the manner prescribed by these regulations;
 - (ii) has facilities for storing, collecting, handling, conveying and feeding the treated animal offal, meat and meat trimmings to the pigs owned by the applicant,

he may issue a treatment licence to the applicant.

- (2) The Chief Inspector shall not issue a treatment licence unless the treatment premises is part of the same premises as the premises on which the animal offal, meat and meat trimmings are collected for treatment pursuant to the licence.
- (3) A treatment licence shall be in the form of Form 2 in Schedule D.
- (4) An application for the issue of a treatment licence shall be accompanied by a fee of \$237.00.
- (5) A treatment licence is subject to the conditions specified therein by the Chief Inspector.

r. 13F

- (6) A treatment licence is valid for a period of 12 months unless it is sooner revoked.
- (7) A treatment licence may be renewed from the date of its expiry for a period of 12 months by application in the form of Form 1 in Schedule D and on payment of a fee of \$85.

[Regulation 13E inserted in Gazette 1 Oct 1976 p. 3613; amended in Gazette 18 Jul 1980 p. 2437; 28 Aug 1981 p. 3591; 12 Aug 1983 p. 2956; 3 May 1985 p. 1591; 30 Oct 1987 p. 4050; 14 Oct 1988 p. 4206; 3 Aug 1990 p. 3671; 18 Oct 1991 p. 5314; 24 Jul 1992 p. 3606; 17 Sep 1993 p. 5050; 24 Jun 1994 p. 2835; 21 Jul 1995 p. 3063; 3 Sep 1996 p. 4374; 19 Aug 1997 p. 4713; 23 Jun 1998 p. 3314; 20 Jun 2000 p. 3005; 28 Jun 2002 p. 3044; 17 Jun 2003 p. 2202; 16 Jun 2006 p. 2116.]

13F. Conditions of treatment licence

The holder of a treatment licence —

- (a) shall maintain the treatment premises in a clean and hygienic condition;
- (b) shall not keep any offal, meat or meat trimmings in a place that is accessible to dogs or scavenging animals;
- (c) shall dispose of any pigs derived from premises in respect of which a treatment licence has been issued only by consigning them to an approved abattoir for immediate slaughter.

[Regulation 13F inserted in Gazette 1 Oct 1976 p. 3614.]

13G. Swill to be boiled by licence holder

A person who holds a treatment licence shall not use any animal offal, meat or meat trimmings for the purpose of feeding pigs unless the swill has been sterilized by boiling at a temperature of 100°C for a period of not less than 2 hours.

[Regulation 13G inserted in Gazette 1 Oct 1976 p. 3614.]

13H. Offences relating to licences

A person who contravenes or fails to comply with regulations 13A, 13B, 13F or 13G commits an offence.

Penalty:

- (a) for a first offence, \$5 000; and
- (b) for a second or subsequent offence, \$10 000, and, in the case of a continuing offence an additional penalty of \$200 for every day that the offence continues after the offender is convicted.

[Regulation 13H inserted in Gazette 26 Jun 1992 p. 2657.]

14. Revocation of licence

If the Chief Inspector is satisfied that the holder of a treatment licence has failed to comply with the provisions of these regulations or with the conditions specified in his licence the Chief Inspector may revoke the licence.

[Regulation 14 inserted in Gazette 1 Oct 1976 p. 3614.]

15. Diagnostic team, etc., may enter premises

For the purposes of these regulations, a Government Veterinary Officer, Stock Inspector or member of a diagnostic team appointed by the Chief Inspector of Stock may enter upon any part of the premises and the occupier of the premises and the persons in his employment shall render such reasonable assistance as may be required for all and any of the purposes of these regulations.

16. Offences generally

Any person who contravenes or fails to comply with —

- (a) any provision of these regulations; or

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- (b) any provision of a condition or rule imposed or in force by or under these regulations,

commits an offence.

Penalty: \$2 000 and in addition, in the case of a continuing offence, to a further penalty of \$10 for every day that the offence continues after the offender is convicted.

*[Regulation 16 amended in Gazette 7 Aug 1987 p. 3125;
26 Jun 1992 p. 2657.]*

Schedule A

Exotic vesicular diseases

Foot-and-Mouth Disease

Vesicular Stomatitis

Vesicular Exanthema

Swine Vesicular Disease

[Schedule A amended in Gazette 14 Jun 74 p. 1938.]

Schedule B

Schedule B

Exotic diseases transmitted directly or indirectly

Swine Fever
African Swine Fever
Rinderpest
Rabies
Newcastle Disease
Fowl Plague
Scrapie
Sheep Scab
Sheep Pox
Aujesky's disease
Trichinosis
Glanders
Dourine

Schedule C

Exotic diseases transmitted by insect vectors

Bluetongue

African Horse Sickness

Surra

Equine Encephalomyelitis

Nairobi Sheep Disease

Wesselbron Disease

Rift Valley Fever

Lumpy Skin Disease

Schedule D

Schedule D

Form 1

[Reg. 13D]

Exotic Diseases (General) Regulations 1970

APPLICATION FOR TREATMENT LICENCE

Chief Inspector of Stock
Department of Agriculture.

I/We, of
— not having a facility to dry render animal offal, meat or meat trimmings —
hereby apply for a treatment licence to sterilize such animal offal, meat or meat
trimmings for consumption by pigs. The particulars of the business are set out
hereunder.

PARTICULARS

1. Name of owner and address of premises at which animal offal, meat or
meat trimmings is to be collected, stored and treated: —
Name.....
Address.....
2. Capacity and type of treatment plant.....
.....
3. Estimated quantity of animal offal, meat or meat trimmings to be treated
per day.....
4. Is the treatment plant on the premises where animal offal, meat or meat
trimmings is collected?.....
5. Is the treatment plant surrounded by a dog proof fence?.....
.....
6. Name of owner and address of premises at which pigs are to be fed
animal offal, meat or meat trimmings: —
Name.....
Address.....

Signed
Applicant.

Date

Form 2

[Reg. 13E(3)]

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TREATMENT LICENCE

This is to certify that.....
of.....
in the State of Western Australia, is licensed to treat animal offal, meat or meat trimmings for the purpose of feeding pigs pursuant to the *Exotic Diseases (General) Regulations 1970*.

This licence is valid for a period of 12 months commencing on the
..... day of 20.....

.....
Chief Inspector.

[Schedule D inserted in Gazette 1 Oct 1976 p. 3614.]

Notes

¹ This is a compilation of the *Exotic Diseases (General) Regulations 1970* and includes the amendments made by the other written laws referred to in the following table. The table also contains information about any reprint.

Compilation table

Citation	Gazettal	Commencement
<i>Exotic Diseases (General) Regulations</i> ³	24 Jun 1970 p. 1824-9	25 Jun 1970 (see order published 24 Jun 1970 p. 1784)
Untitled regulations	26 Jan 1973 p. 262	26 Jan 1973
Untitled regulations	14 Jun 1974 p. 1938	14 Jun 1974
Untitled regulations	20 Feb 1976 p. 521-2	20 Feb 1976
Untitled regulations	1 Oct 1976 p. 3612-14	1 Oct 1976
Untitled regulations	18 Jul 1980 p. 2437	1 Aug 1980
<i>Exotic Diseases (General) Amendment Regulations 1981</i>	28 Aug 1981 p. 3591	1 Sep 1981 (see r. 2)
<i>Exotic Diseases (General) Amendment Regulations 1983</i>	12 Aug 1983 p. 2956	1 Sep 1983 (see r. 2)
<i>Exotic Diseases (General) Amendment Regulations 1985</i>	3 May 1985 p. 1591	1 Jul 1985 (see r. 2)
<i>Exotic Diseases (General) Amendment Regulations 1987</i>	7 Aug 1987 p. 3125	7 Aug 1987
<i>Exotic Diseases (General) Amendment Regulations 1987</i>	30 Oct 1987 p. 4050	1 Nov 1987 (see r. 2)
<i>Exotic Diseases (General) Amendment Regulations 1988</i>	14 Oct 1988 p. 4206	14 Oct 1988
<i>Stock Diseases Amendment Regulations 1990 Pt. 3</i>	3 Aug 1990 p. 3670-1	3 Aug 1990
<i>Stock Diseases Amendment Regulations 1991 Pt. 3</i>	18 Oct 1991 p. 5312-14	18 Oct 1991
<i>Exotic Diseases (General) Amendment Regulations 1992</i>	26 Jun 1992 p. 2657	26 Jun 1992

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Citation	Gazettal	Commencement
<i>Stock Diseases Amendment Regulations 1992 Pt. 3</i>	24 Jul 1992 p. 3604-6	24 Jul 1992
<i>Stock Diseases Amendment Regulations 1993 Pt. 3</i>	17 Sep 1993 p. 5048-50	17 Sep 1993
<i>Exotic Diseases (General) Amendment Regulations 1994</i>	24 Jun 1994 p. 2835	1 Jul 1994 (see r. 2)
<i>Exotic Diseases (General) Amendment Regulations 1995</i>	21 Jul 1995 p. 3063	21 Jul 1995
<i>Exotic Diseases (General) Amendment Regulations 1996</i>	3 Sep 1996 p. 4374	4 Sep 1996 (see r. 2)
<i>Exotic Diseases (General) Amendment Regulations 1997</i>	19 Aug 1997 p. 4713	19 Aug 1997
<i>Exotic Diseases (General) Amendment Regulations 1998</i>	23 Jun 1998 p. 3314	23 Jun 1998
<i>Exotic Diseases (General) Amendment Regulations 2000</i>	20 Jun 2000 p. 3004-5	1 Jul 2000 (see r. 2)
<i>Exotic Diseases (General) Amendment Regulations 2002</i>	28 Jun 2002 p. 3043-4	1 Jul 2002 (see r. 2)
Reprint 1: The Exotic Diseases (General) Regulations 1970 as at 11 Apr 2003 (includes amendments listed above)		
<i>Exotic Diseases (General) Amendment Regulations 2003</i>	17 Jun 2003 p. 2201-2	1 Jul 2003 (see r. 2)
<i>Exotic Diseases (General) Amendment Regulations 2006</i>	16 Jun 2006 p. 2115-16	1 Jul 2006 (see r. 2)

² Now known as the *Local Government Act 1995*.

³ Now known as the *Exotic Diseases (General) Regulations 1970*; citation changed (see note under r. 1).

⁴ These regulations were originally made under the *Stock Diseases (Regulations) Act 1968*. By virtue of the *Exotic Diseases of Animals Act 1993* s. 59(2), these regulations continue as if they had been made under that Act.